

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**PLUMBERS AND FITTERS LOCAL 101, et al.,**

**Plaintiffs,**

**v.**

**HIRTH PLUMBING AND HEATING COMPANY,**

**Defendant.**

**No. 09-0853-DRH**

**ORDER**

**HERNDON, Chief Judge:**

Now before the Court is Plaintiffs' motion to strike reply brief (Doc. 17).

Plaintiffs move the Court to strike Defendant's reply brief to the motion to dismiss arguing that under the Local Rules reply briefs are not favored and Defendant has not provided the "exceptional circumstances." The Court agrees. **Local Rule 7.1(c)** provides in part: "Reply briefs are not favored and should be filed only in exceptional circumstances. The party filing the reply brief should state the exceptional circumstances." Accordingly, the Court **GRANTS** the motion to strike reply brief (Doc. 17) and **STRIKES** Defendant's January 12, 2010 reply brief (Doc. 16).

**IT IS SO ORDERED.**

Signed this 19th day of January, 2010.

/s/ David R. Herndon

**Chief Judge  
United States District Court**